

subject matter.

The Examiners objections are based on obviousness in view of US 5848508 (Albrecht) in combination with US 6604715 (Howe) and 5815 989 (Bennenk).

Albrecht teaches a building panel assembly having a two face panels mounted on a core of insulating material. The frame forms part of a patio wall construction but is not part of the panel assembly, see Col 2 lines 54-55.

The panel assemblies may be joined by use of conventional aluminium frames. In Abrecht, the aluminium I beams themselves act as the posts for joining together the adjacent panels. The bottom rail of the frame also comprises a length of aluminium I beam and there is no indication if the bottom rail is joined to the posts or not. There is no top rail to the frame. There is capping rail 32 which sit over the top edge margin of the panel and is accommodated within the recesses of the I beam posts.

We would submit that at least the capping rail is not joined to the I beams as required for the top rail in the present invention but is merely located within the recesses in the two upright I beams.

Furthermore, even if the aluminium posts are considered as part of the panel, then boards/panels 20 & 22 do NOT cover the faces of the frame, the boards are mounted within the body of the frame whose faces are left exposed.

The present invention is for a load bearing panel which is light and easy to handle and comprises a rectangular frame with its two faces covered in board, the frame comprising top and bottom rails with I beams extending between the rails, the I beams being wood composite beams which have recessed sides facing outwardly of the panel in use to engage posts which in use locate in the recesses.

Howe discloses in Fig 6, an I beam 66 described as a laminated composite I beam (see col 6 lines 23-25) and which is further described on line 35 as a wooden composite I beam.

The straight substitution of wooden composite I beam 66 into the frame 30 in Albrecht still do not arrive at the presently invention for the reasons given above.

The subject matter of Claim 4 is not shown in any cited document.

With reference to Claim 9 US 4125 984, (Jonas) does not disclose a recess containing dowels for linking together a panel to a post. Jonas discloses a panel having its frame formed from Z section frame material which forms a wedge shaped groove 25 around the whole exterior of the panel. (Col 4 lines 14-20). The groove 25 accommodates a connector 26 fixed directly to another panel. The connector is a shaped length of extruded metal not a separate post. Hence, the groove does not accommodate a separate post which in use connects with two adjacent panels.

The present invention as claimed in Claim 9 is not disclosed in Jonas.

A copy of European Search Report is enclosed herewith to be placed in the file of the present application. Two of the four documents of the search report are cited as background technology only and the other two documents add nothing to those already cited by the Examiner. Copies of the cited documents are freely available on the EPO web site.

It is believed that the claims as now amended should be allowable and such action is respectfully respected. If the examiner still feels that there are any minor matters that need to be resolved before Issuing a notice of allowance, Applicant's attorney would welcome a phone a call from the Examiner at the below listed number.

Respectfully submitted,

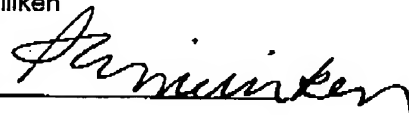

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademarks Office (Fax No. (571) 273-8300) on July 21, 2005.

Paul E Milliken

Signature 

European Patent
Office

EUROPEAN SEARCH REPORT

Application Number
EP 03 25 4441

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (INCL.7)
Y	DE 30 17 332 A (MASONITE AB) 12 November 1981 (1981-11-12) * page 4, line 12 - page 6, line 10 *	1-4	E04C2/38
Y	DE 198 58 528 A (LEBENSRAUME HAUSBAU & BAUTRÄGER GMBH) 6 July 2000 (2000-07-06) * column 3, line 23 - column 4, line 50; figure 1 *	1-4	
A	DE 71 29 207 U (WAMDA AG) * page 10, line 14 - line 23; figure 3 *	10, 17, 19	
A	US 5 483 778 A (SCRIVENER) 16 January 1996 (1996-01-16) * column 6, line 6 - line 26; figure 4C *	18	
			TECHNICAL FIELDS SEARCHED (INCL.7)
			E04C
The present search report has been drawn up for all claims			
Place of search THE HAGUE		Date of completion of the search 24 September 2003	Examiner Mysliwetz, W
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			

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